

REMARKS

This Amendment is in response to the Office Action of February 23, 2007 in which claims 1-20 were rejected.

35 USC 101

Regarding the statutory subject matter rejection of claim 9, it has been amended so as to be directed to a computer-readable medium. Withdrawal of the statutory subject matter rejection of claim 9 is requested.

35 USC 102

Regarding the 35 U.S.C Section 102(e) rejection of claims 1-20 based on *Miller et al* (U.S. 7,149,810), the *Miller et al* reference has been studied carefully by the applicant and no alarm events can be found within that document. The word "alarm" does not even appear within the document anywhere.

The present invention deals with the annoying problem mentioned on page 1 of the specification at lines 20-27 or the similar annoying problem mentioned at page 2, lines 1-5. These situations are disturbing for the electronic device user and it is desirable that a solution be provided. Thus, the present invention deals with solving a problem relating to alarm events, particularly past alarms in an electronic device.

It is not correct for the Office to simply cite a document that has no reference whatsoever to an alarm event and assert a novelty rejection. For a Section 102 rejection, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. While the *Miller et al* reference certainly does have to do with logging of events, these events have to do with calendar events, either past or future, not alarm events.

The common dictionary meaning of the word "alarm", and as is understood in the art, is an automatic device that serves to call attention, to rouse from sleep, or to give warning of some kind. This may be a warning sound, a signal for attention or even the vibration mentioned in the specification. See for example page 5 at lines 35-37 where it is stated that an alarm is sounded via a speaker of a mobile phone or that it is possible for the user to be alerted by the alarm via a vibrator in the phone. Thus, it would seem necessary for a novelty rejection of this kind to be sustainable for the reference at a minimum to at least have some disclosure within it that contains some reference to an alarm, not to mention the claimed concept of an alarm event being registered, stored and presented, among other registered alarm events to a user of a device.

On page 3 of the detailed action in the third paragraph of numbered paragraph 4, column 2, lines 22-23 is pointed to for subject matter in the *Miller et al* reference upon which the first step of claim 1 allegedly reads, i.e., registering an alarm event that relates to a past alarm in the device. The passage pointed to states that a method and system is provided for preserving calendar data related to past events, i.e., past calendar items. Calendar items are described elsewhere (column 1, line 16) as embracing a meeting, an appointment, etc. See also column 6, lines 4-10, where a calendar item is described as a discrete collection of information that may be used to represent an event such as a meeting, appointment, etc. and including data that indicates a particular time of the event, which may include a time of the day and a date. The calendar item may also include data related to the event, which may be in the form of attached documents or data files. These calendar items do not indicate in any way that the term "calendar item" includes an alarm event.

The second step of claim 1 relates to storing the registered alarm event in a list in a device storage and the Examiner points to Figure 7, and columns 11, lines 19-21 which show and describe a list of original dates 701 and dates after update 702 and which in general show the results of the processes described in connection with Fig. 6 and which are flow diagrams of an update method 600 for updating

records of selected calendar items. Apparently, the Examiner is pointing to the two calendar items in the list 702 on the right in Fig. 7 above the horizontal line 703 which separates past dates from future dates. These two calendar items (2/24/2003 and 3/10/2003) are certainly calendar items that are in the past, but clearly they are not registered as alarm events nor do they relate to past alarms.

The last step of claim 1, i.e., the presenting of at least a portion of the list of registered alarm events to a user is not shown in Fig. 5 either. The list shown in Fig. 5 is again of calendar items, not alarm events.

Again, the present invention deals with alarm events which, as indicated above, have to do with the common ordinary understanding of the word "alarm" as expressed in the specification and as would be understood by any person of skill in the art to mean an automated device that serves to call attention, to rouse from sleep, or to make a warning of some kind to the user.

Referring back to Fig. 7 of the *Miller et al* reference, the exclamation points appearing in the list 702 of future dates indicate so-called orphaned items that have been modified to indicate that they are orphaned, i.e., to allow the user to readily identify future events that do not comport with a valid calendar schedule. As such, the ability to "readily identify future events" (see column 11, line 15) does not rise to the level of logging an alarm event since such an indicator does not serve, in the first place, to log an alarm event that occurred in an automated way, in order to call attention, to rouse from sleep or to warn of such an event in the ordinary sense of the word, as would be understood by any person of skill in the art or described in the specification at page 5 as explained above.

Another thing that separates the present invention from the *Miller et al* reference is that *Miller et al* manages calendar items in a calendar software application while the invention manages alarm events in an electronic device, i.e., events connected with the alarm itself. And, as mentioned above, it is not a valid

interpretation to view the calendar items of the reference as alarm events. Moreover, the *Miller et al* reference does not solve a technical problem such as solved by the present invention. In the *Miller et al* reference, the method is implemented in a computer system and provides for users to communicate, store, and organize calendar data (see column 4, lines 10-25). This means that the technical problem that is addressed is not the managing of alarms in the electronic devices, but rather managing data connected to events that the various users are to participate in.

The present invention addresses managing events that are connected to an alarm set in an electronic device, and for logging these alarm events which may include time of activation, deactivation, removal, etc. Furthermore, the method according to claim 1 of the present invention includes "registering an alarm event that relates to a past alarm," which feature the Examiner equates to "preserving calendar data related to past events" (column 2, lines 22-23 of *Miller et al*). As stated above, applicant does not agree with the Office on this at all. According to the invention, the *alarm event* associated with the previously set alarm is registered, while *Miller et al* discloses preserving calendar data relating to a past *calendar event*.

Both the independent claims 1 and 10 contain similar limitations and withdrawal of the novelty rejection thereof is requested.

Since the remaining claims are all dependent claims and depend from independent claims 1 and 10, these are at least patentable for the same reasons as given above in applicant overcoming the novelty rejection of claim 1 and claim 10. Withdrawal of the novelty rejection of the dependent claims is also requested.

35 USC 103

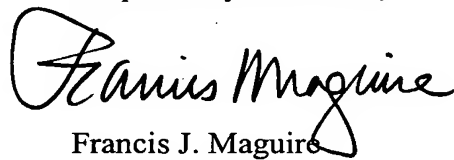
Although there is no obviousness rejection, such a rejection would not be appropriate either. When considering the problem situation, it cannot have been within ordinary skill in the art to conceive of this solution of logging alarm events

for presentation to the user. In the past, the annoyance of missing alarms in certain circumstances was simply tolerated as a nuisance without anybody thinking that somehow this nuisance could be solved in the way that the present applicants have conceived and claimed. Alarm events can be logged and presented to the user in a list! There is no hint or suggestion in the prior art to log and present such ephemeral events.

CONCLUSION

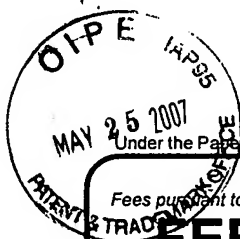
The objections and rejections of the Office Action of February 23, 2007, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-22 to issue is solicited.

Respectfully submitted,

A handwritten signature in black ink, reading "Francis Maguire". The signature is written in a cursive style with a large, looping initial "F".

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2007☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 100.00**Complete if Known**

Application Number	10/749,872
Filing Date	December 31, 2003
First Named Inventor	Tarmo HYTTINEN
Examiner Name	Cherisse K. Minor
Art Unit	2174
Attorney Docket No.	915-008.018

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 23-0442 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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under 37 CFR 1.16 and 1.17☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	<u>Small Entity</u> Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
<u>22</u> - 20 or HP = <u>2</u> x <u>\$50.00</u> = <u>\$100.00</u>		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
<u> </u> - 3 or HP = <u> </u> x <u> </u> = <u> </u>		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
<u> </u> - 100 = <u> </u> / 50 = <u> </u> (round up to a whole number) x <u> </u> = <u> </u>				

4. OTHER FEES(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid (\$)**SUBMITTED BY**

Signature <u>Francis Maguire</u>	Registration No. (Attorney/Agent) 31,391	Telephone (203) 261-1234
Name (Print/Type) Francis J. Maguire		Date <u>23 MAY '07</u>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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